☑ 005/007

Case 1:04-cv-00819-GMS

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UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

Chapter 7 In re:

Case No. 00-01280 (RB) TOWER AIR, INC.,

Debtor

ERNST & YOUNG LLP Appellant :

:

CIVIL ACTION NO. 04-819 (GMS) ٧.

CHARLES A. STANZIALE, JR., as chapter 7 trustee for the

bankruptcy estate of Tower Air, Inc. Appellee

STIPULATION OF DISMISSAL OF APPEAL WITH PREJUDICE PURSUANT TO FED. R. BANKR. P. 8001(c)(2)

Pursuant to Fed. R. Bankr. P. 8001(c)(2), the matters at issue on appeal in the above-captioned appeal, having been amicably settled by and between the parties, is hereby dismissed with prejudice and without costs against any party, and each party shall bear its own costs and fees. All court costs and fees have been paid.

Dated: July 22 2005

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